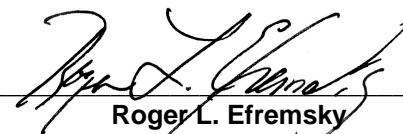




The following constitutes
the order of the court. Signed December 16, 2009


Roger L. Efremsky
U.S. Bankruptcy Judge

DEVIN DERHAM-BURK #104353
CHAPTER 13 STANDING TRUSTEE
P O BOX 50013
SAN JOSE, CA 95150-0013

Telephone: (408) 354-4413
Facsimile: (408) 354-5513

Trustee for Debtors

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In Re:)	Chapter 13
)	
RICARDO MARTINEZ)	Case No. 09-56997 RLE
)	
MARIALUISA MARTINEZ)	ORDER CONFIRMING PLAN
_____ Debtors)	

The Debtors filed a Plan under Chapter 13 of the Bankruptcy Code on Aug 21, 2009, a copy of which was served on creditors (and an Amended Plan on Oct 07, 2009). After hearing on notice on Dec 10, 2009, the Court finds that:

1. The Plan complies with 11 U.S.C. §1325(a), and other applicable bankruptcy laws, rules and procedures including 11 U.S.C. §1325 (b) (1) (A) or (B) if the Trustee or an unsecured creditor timely objected to a plan.

THEREFORE, IT IS ORDERED THAT:

1. The Debtors' Amended Plan filed on Oct 07, 2009 is confirmed.
2. The future income of the Debtors shall be submitted to the supervision and control of DEVIN DERHAM-BURK, Trustee herein, as is necessary for the execution of the Plan.

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1 3. Any creditor whose claim is entirely disallowed by final non appealable order, and any
2 creditor listed in the Debtors' original Schedules that has not filed a proof of claim by the
3 claims bar date need not be served with notice of any subsequent action in this case by
4 the Debtors or the Trustee unless such creditor files a request for special notice with the
5 Court and serves such request on the Trustee and Debtors' attorney. Notwithstanding the
6 above, if the proposed action would adversely impact a creditor, that creditor must be
7 served notice.

8 4. Until the Plan is completed, dismissed or converted to a case under a different chapter of
9 the Bankruptcy Code, the Debtors shall, pursuant to the terms of the Plan, pay to the
10 Trustee the sum of: \$828 X 24 MONTHS; \$1550 THEREAFTER
11 no later than the last day of each month, at P O BOX 50013, SAN JOSE, CA
12 95150-0013.

13 5. If the Debtors fail to timely tender a payment as set forth above, the Plan shall be
14 considered in default. Upon written notice of default by the Trustee, the Debtors shall,
15 within twenty (20) days of said notice, either: 1) cure the default; or 2) meet and confer
16 with the Trustee AND enter into an agreement resolving the default in a manner
17 acceptable to the Trustee; or 3) file and serve an Application to Modify Plan which shall
18 propose terms under which the Plan is not in default and which shall provide for Plan
19 completion within sixty (60) months after the time that the first payment under the
20 original plan was due.

21 6. Except as otherwise provided in the Plan or in the Order Confirming Plan, the Trustee
22 shall make payments to creditors under the Plan.

23
24 * * * END OF ORDER * * *

25 Approved as to form and content.

26 Dated: Dec 15, 2009

/s/ DEVIN DERHAM-BURK

Chapter 13 Standing Trustee

COURT SERVICE LIST

Case Name: RICARDO MARTINEZ
MARIALUISA MARTINEZ

Case No.: 09-56997 RLE

RICARDO MARTINEZ
MARIALUISA MARTINEZ
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